K

1945

File No. B. Medical /45

Legal Deptt

B **BRANCH**

Subject:— A Bill to amend the Bombay Medical Act 1912.

Bom Act- III of 1945

E 1-6

B Medical /45

File No.

Gen. 191 a.

FILE

Office of the P.L.A.

Revised drafts of the Bill and statement are sent herewith.

2. The subject-matter of the Bill falls under Entry No. 16 in Part I of the Concurrent Legislative List in the Seventh Schedule to the Government of India Act, 1935. As clause 2 of the Bill is repugnant to the provisions of the existing Indian law on the subject, it is necessary to reserve the Bill for the consideration of the Governor General under section 107(2) of the Government of India Act, 1935, and para.(2) of the Proclamation dated 4-11-1939. Under executive instructions, the Bill requires previous concurrence of the Governor General before enactment (vide G.G.'s Circulars No. 201(12), dated 18th December 1939 and No. 201 (12), dated 22nd July 1941).

Sd/-

Remembrancer of Legal Affairs.

U.O. to G.D. No. 2572, dated 29-3-44.

N.V.I.
12/7
4c.

Office of the R.L.A.

A revised draft Bill is sent herewith. As revised the draft maintains the status quo as regards the publication of names upto-date every year and the provision for rebuttable presumption on the basis thereof.

sd/ -

Remembrancer of Legal Affairs.

U.R. to G.D. No. 6585, dated the 21st September, 1944.

N.V.D.
12/7
4c.

No. 1315.
Legal Department.
Bombay Castle, 14th February 1945.

From

P.N. Moos, Esquire, Bar-at-Law, I.C.S.
Secretary to the Government of Bombay;

To

The Secretary to the Governor of Bombay.

Subject:- A Bill to amend the Bombay Medical Act, 1912.

Sir,

With reference to your memorandum No. 201(108), dated the 2nd June 1944 addressed to the General Department on the above subject, I am directed to forward herewith a copy of the Bill to amend the Bombay Medical Act, 1912, prepared by His Excellency the Governor under paragraph(2) of the Proclamation dated the 4th November 1939 issued by him under section 93 of the Government of India Act, 1935.

2. The subject-matter of the Bill falls under entry 16 in the Concurrent Legislative List in the Seventh Schedule to the Government of India Act, 1935. As clause 2 of the Bill is repugnant to the provisions of the existing Indian law contained in section 17 of the Bombay Medical Act, 1912, it is necessary to reserve the Bill for the consideration of the Governor-General under section 107(2) of the Government of India Act, 1935, and paragraph (2) of the Proclamation.

3. I also forward herewith six spare copies of the Bill, out of which five copies are for trasmission to the Secretary to the Governor-General (Public).

Your obedient servant,

sd/

Secretary to the Government of Bombay,
Legal Department.

Through:

The Secretary to the Government of Bombay,
General Department.

N.V.D.
12/7
ic.

No. 1310, Legal
Bombay Castle, 14

From

P.N. Moos[illegible]

To The Secretary to [illegible]

Subject:

[illegible] With reference to Your [illegible]
dated the 2nd June 1944 addressed to [illegible]
on the above subject, I am directed to for[illegible]
a copy of the Bill to amend the Bombay Medical
prepared by His Excellency the Governor under par[illegible]
of the Proclamation dated the 4th November 1939 fr[illegible]
him under section 93 of the Governm[illegible] of India Act
2. The subject-matter of the Bill falls under e[illegible]
in the Concurrent Legislative List in the Sev[illegible]
to the Government of India Act, 1935. As e[illegible]
Bill is repugnant to the provisions of [illegible]
be contained in section 17 of the Bo[illegible]
it is necessary to reserve the Bill
the Governor-General under
of India Act, 1935, and
3. I am therefo[illegible]
Bill, as [illegible]
consen[illegible]

dated [illegible]
subject, [illegible]
copy of the [illegible]
1945, with His [illegible]
assent signified th[illegible]

Your obe[illegible]

sd/-
Secretary to the Governor of

N.V.D.
12/7
4c

No. 201(108),
Office of the Governor's Secretary
Government House,
Bombay, 20th March 1945.

From

D. Symington, Esquire, CIE. ICS.
Secretary to the Governor of Bombay.

To

The Secretary to Government,
Legal Department, Bombay.

Subject:- The Bombay Medical (Amendment) Bill 1945.

Sir,

With reference to your letter No. 1315, dated the 14th February 1945, on the above subject, I am directed to forward herewith the copy of the Bombay Medical (Amendment) Bill 1945, with His Excellency the Governor-General's assent signified thereon.

Your obedient servant,

sd/-

Secretary to the Governor of Bombay.

N.V.D.
12/7
4c.

Publication of the Bombay Medica[illegible]
(Amendment) Act, 1945.

GOVERNMENT OF BOMBAY.
Legal Department.
Resolution No. 2357
Bombay Castle, 26th March 1945.

Letter to the Secretary to the Governor, No. 1315 dated the 14th February 1945.

Letter from the Secretary to the Governor, No. 201(108) dated the 20th March 1945.

"With reference to your letter No. 1315, dated the 14th Febru 1945, on the above subject, I am directed to forward herewith the copy of the Bombay Medical (Amendment) Bill, 1945, with His Excellency the Governor General's Assent signified thereon."

RESOLUTION.- The law should be published as Bombay Act No. VII of 1945, in the Bombay Government Gazette dated the 26th March 1945.

2. The Act should be translated into Marathi, Gujarati, Kannada and Hindustani (in Urdu and Devnagari scripts) and the translations should be published in the Bombay Government Gazette.

3. A copy of the Act should be forwarded to the General Department.

By order of the Governor of Bombay,

Sd/-

for P.N. HOGS,

Secretary to Government,

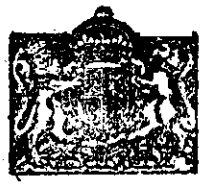
To

The Manager, Government Central Press., Bombay (with a copy of the Act and with arequest that 15 Gazette copies of the Act may be forwarded to the Legal Department)

etc.

N.V.D.
12/7
4c.

Registered No. B-1



The Bombay Government Gazette

PUBLISHED BY AUTHORITY

MONDAY, 26TH MARCH 1945.

Separate paging is given to this Part in order that it may be filed as a separate compilation

PART IV

(1) Acts of the Local Legislature of the Bombay Province and (2) Acts of the Indian Legislature assented to by the Governor General.

CONTENTS.

	PAGES
BOMBAY ACT No. III OF 1945—An Act to amend the Bombay Medical Act, 1912	24-25

The following Act made by the Governor of Bombay in exercise of the powers vested in him by virtue of the Proclamation dated the 4th November 1939 issued by him under section 93 of the Government of India Act, 1935, having been assented to by the Governor General on the 15th March 1945 is hereby published for general information.

P. N. MOOS,
Secretary to the Government of Bombay,
Legal Department.

BOMBAY ACT No. III OF 1945.

(First published, after having received the assent of the Governor General, in the "Bombay Government Gazette" on the 26th March 1945.)

An Act to amend the Bombay Medical Act, 1912.

Bom. VI of 1912.

WHEREAS it is expedient to amend the Bombay Medical Act, 1912, for the purposes hereinafter appearing;

AND WHEREAS the Governor of Bombay has assumed to himself under the Proclamation dated the 4th November 1939 issued by him under section 93 of the Government of India Act, 1935, all powers vested by or under the said Act in the Provincial Legislature;

26 Geo. 5, Ch. 2.

NOW, THEREFORE, in exercise of the said powers the Governor of Bombay is pleased to make the following Act:—

1. This Act may be called the Bombay Medical (Amendment) Act, 1945. Short title.

7 of the Bombay Medical Act, 1912, Bom. VI of 1912. be substituted, namely :—

ıny year in which the general elections ouncil are to be held the Registrar shall ed and published, on or before a date e Medical Council, a correct list of the s and qualifications of all persons for ntered in the register, and the dates fications were granted, in alphabetical g to the surnames of the persons

ner year the Registrar shall cause to be lished on or before a date to be fixed Council—

ementary list arranged in the manner b-section (*1*) of the names, addresses, stration and qualifications, together s of acquiring them, of all persons for ng entered in the register and not ny subsisting list or supplementary list d and published : and

ate list arranged in the same manner e same particulars of all persons included sting list or supplementary list whose ince been erased or removed from and l in the register.

ourt shall presume that every person n the list referred to in sub-section (*1*) plementary list referred to in clause (*a*) 2), and not entered in the latest of the ferred to in clause (*b*) of sub-section (*2*) d under this Act and that no other istered."

STATEMENT.

Medical Act, 1912, lays down that the Registrar Council shall every year cause to be printed and he names and qualifications of all persons for the he register. The Bombay Medical register is year. Owing to the abnormal rise in the cost of of paper due to war conditions, it is considered te list should only be printed and published during tal elections are to be held, and that in other years need be printed and published. It is therefore v section 17 to carry out this object.

TED AT THE GOVERNMENT CENTRAL PRESS.